

# FITZPATRICK, CELLA, HARPER & SCINTO

30 ROCKEFELLER PLAZA  
NEW YORK, NY 10112-3801

212-218-2100

FACSIMILE (212) 218-2200

## WASHINGTON OFFICE

1900 K STREET, N.W.  
WASHINGTON, D.C. 20006-1110  
(202) 530-1010  
FACSIMILE (202) 530-1055

## CALIFORNIA OFFICE

650 TOWN CENTER DRIVE, SUITE 1800  
COSTA MESA, CALIFORNIA 92626-1925  
(714) 540-8700  
FACSIMILE (714) 540-9823

WRITER'S DIRECT DIAL NUMBER

LAURA A. BAUER  
CHRISTOPHER P. WRIST  
GARY M. JACOBS \*  
JACK CUBERT \*  
JEAN K. DUDEK  
JACK M. ARNOLD \*  
JOSEPH W. RAGUSA  
DOUGLAS SHARROTT  
MATTHEW J. GOLDEN  
WILLIAM E. SOLANDER  
LEE A. GOLDBERG  
LEISA M. SMITH  
AMR O. ALY  
KATHRYN L. SIEBURTH  
LEE B. SHELTON  
JENNIFER A. REDA  
NATALIE M. DERZKO  
JENNIFER A. SULZER  
SHAWN W. FRASER \*  
VICTORIA J.B. DOYLE  
TARA A. BYRNE  
FRANK A. DELUCIA  
BONNY B. PLOSKER  
ELIZABETH F. HOLOWACZ  
BRIAN P. HOPKINS  
DAVID P. DALKE  
JUSTIN J. OLIVER \*  
EDMUND J. HAUGHEY III \*  
ERICA RAYBURN HALSTEAD

SHOGO ASAJI  
DAVID GREENBAUM  
ALBERT R. UBIETA  
DANIEL R. CAHOY  
HERBERT W. REA  
WENDY H. LEI  
JOSHUA I. ROTHMAN  
DENNIS A. DUCHENE \*  
THOMAS F. PRESSON  
NICOLE E. MILLER  
MARC J. PENSABENE  
COLLEEN TRACY  
LOCK SEE YU-JAHNES  
JAMES M. GIBSON  
RALPH A. DENGLE  
CAROLE ANN QUINN\*  
EDWARD A. KMETT\*  
JOSEPH P. PIERONI  
JENNIFER ANN GARGIULO  
SANDY CHOI  
BRENDAN MEE  
F. CHRISTOPHER MIZZO  
DAVID M. CONCA  
HA KUNG WONG  
PRESTON K. RATLIFF II  
DAVID J. LORENZ  
RACHEL A. REPKA  
ROBERT L. POWLEY

JOSEPH M. FITZPATRICK  
LAWRENCE F. SCINTO  
WILLIAM J. BRUNET  
ROBERT L. BAECHTOLD  
JOHN A. O'BRIEN  
JOHN A. KRAUSE  
HENRY J. RENK  
DAVID F. RYAN  
PETER SAXON  
ANTHONY M. ZUPCIC  
CHARLES P. BAKER  
STEVAN J. BOSSES  
EDWARD E. VASSALLO  
RONALD A. CLAYTON  
NICHOLAS M. CANNELLA  
HUGH C. BARRETT  
PASQUALE A. RAZZANO  
JOHN W. BEHRINGER \*  
LAWRENCE A. STAHL  
LEONARD P. DIANA  
WILLIAM M. WANNISKY \*  
NINA SHREVE  
ROBERT H. FISCHER  
DONALD J. CURRY  
WARREN E. OLSEN \*  
NICHOLAS N. KALLAS  
BRUCE C. HAAS  
THOMAS H. BECK

LAWRENCE S. PERRY  
MICHAEL K. O'NEILL  
ERROL B. TAYLOR  
NICHOLAS GROOMBRIDGE  
LESLIE K. MITCHELL  
SCOTT K. REED  
FREDRICK M. ZULLOW  
SCOTT D. MALPEDE \*  
THOMAS J. O'CONNELL \*  
STEVEN E. WARNER \*  
RAYMOND R. MANDRA  
STEVEN C. KLINE  
DOMINICK A. CONDE  
BRIAN V. SLATER  
JOSEPH M. O'MALLEY, JR.  
MARK A. WILLIAMSON \*  
MARK J. ITRI \*  
DIEGO SCAMBIA  
TIMOTHY J. KELLY  
MICHAEL P. SANDONATO  
BRUCE M. WEXLER  
GREGORY B. SEPHTON  
ANNE M. MAHER  
LISA BARONS BAEURLE  
JOHN D. CARLIN  
DANIEL S. GLUECK \*  
BRIAN L. KLOCK \*

ROBERT C. KLINE \*  
COUNSEL

August 2, 2001

\* NOT ADMITTED IN NEW YORK

## VIA FEDERAL EXPRESS

Mr. Wesley C. Fedorchak  
3708 Northgate Wood Court  
Walnut Creek, CA 94598

Re: U.S. Patent Application No. 09/764,782  
For: SYSTEM FOR CAPTURING TRADE INFORMATION  
Our Ref.: 2785.100

RECEIVED

FEB 01 2002

OFFICE OF PETITIONS  
DEPUTY A/C PATENTS

Dear Mr. Fedorchak:

I understand from our telephone conversation yesterday that you refuse to sign the Combined Declaration and Power of Attorney and the Assignment for the subject application. This refusal was made after discussing the matter with your current employer's (E-bond) attorneys, and your belief that there was "only downside" to your signing the papers.

We remind you that the invention described in the application was based on your work at Lehman Brothers and, as such, you have a legal obligation to assign any rights you may have in that invention to Lehman Brothers, and to cooperate in the prosecution of this patent application before the U.S. Patent and Trademark Office. Such cooperation would include, but would not be limited to, executing the Declaration and Assignment.

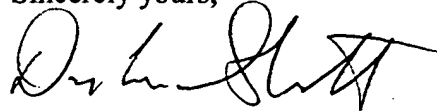
Accordingly, I ask that you reconsider your position. For your convenience, we enclose a copy of the complete application as filed (including the specification, claims

Mr. Wesley C. Fedorchak  
August 2, 2001  
Page 2

and drawings), a Combined Declaration and Power of Attorney, and Assignment. We would appreciate it if you would sign, date and return the Declaration and Assignment to us by August 16, 2001. If we do not receive them by that date, we will conclude that you still refuse to sign them and we will proceed to take all necessary steps to protect Lehman Brothers' rights in this invention.

If you have any questions regarding the above, please call me at the above number.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Douglas Sharrott", with a stylized flourish at the end.

Douglas Sharrott

Enclosures:

U.S. Patent Application No. 09/764,782  
Combined Declaration and Power of Attorney  
Assignment

cc: Sandra Bresnick, Esq. (via facsimile, without enclosures)